

## MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC

August 7, 2006

The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Craft and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott  
Mayor Pro-Tem Mildred A. Council  
Council Member Ray Craft  
Council Member Patricia Dunn  
Council Member Rose H. Glover  
Council Member Chip Little  
Council Member Larry Spell  
Wayne Bowers, City Manager  
Wanda T. Elks, City Clerk  
David A. Holec, City Attorney

### APPROVAL OF AGENDA

Motion was made by Council Member Craft and seconded by Council Member Glover to approve the agenda as presented. Motion carried unanimously.

### CONSENT AGENDA

Motion was made by Council Member Craft and seconded by Council Member Dunn to approve the consent agenda as presented. Motion carried unanimously.

- (1) Minutes from the May 16, 2006 joint City Council/Greenville Utilities Commission meeting and the May 22, June 5, and June 8, 2006 City Council meetings
- (2) Various tax refunds

<u>Name</u>	<u>Reason</u>	<u>Amount</u>
Brann's Plumbing Co.	Prorate taxes on vehicle	\$140.84
Candace & Todd Johnson	Vehicle charged in city limits in error	\$222.23
Edward L. Greene, III	Refund per correction of building measurements	\$243.82
- (3) Right-of-way encroachment agreement with Brighton Place of Greenville, LLC, to construct Brighton Place subdivision entrance sign, landscaping, and utilities within a median in the right-of-way of Brighton Drive (Contract No. 1523)
- (4) Right-of-way encroachment agreement with Bill Clark Homes of Greenville, LLC, to construct Kittrell Farms Townhomes entrance sign, landscaping, and utilities within a median in the right-of-way of Kittrell Farms Drive (Contract No. 1524)

- (5) Resolution accepting dedication of rights-of-way and easements for Irish Creek, Section 2, Phase 1-B, and Tucker Commercial Park. (Resolution No. 06-35)
- (6) Changes to City of Greenville employee computer purchase program (Document No. 06-07)
- (7) Resolution authorizing an application to the Governor's Highway Safety Program for third-year funding of the reduce aggressive, intimidating, & impaired driving (raiid) grant (Resolution No. 06-36)
- (8) Contract with Jimmie Grimsley to serve as the Director of the North Carolina High School Athletic Association (NCHSAA) basketball tournament in Greenville (Contract no. 1525)

## PRESENTATIONS BY BOARDS AND COMMISSIONS

### Human Relations Council

Mr. Stanley Howard of the Human Relations Council highlighted a written annual report (Document No. 06-10), stating that in 2005, the Human Relations Office responded to a total of 191 complaints and requests. There were 85 complaints from tenants/landlords, two discrimination/unfair treatment complaints, three employment complaints, 55 requests from families needing assistance with their utilities, 25 requests from families needing assistance with rental payments or assistance for finding adequate housing, and 12 families needing food/clothing. In the future, the Human Relations Office will assist the Community Development Department with interfacing with rehabilitation clients, public information functions, and affirmative fair housing and HMDA data. Annual events sponsored by the Council include the Best-Irons Humanitarian Awards Banquet, Young Citizen of the Year, Choices/Options--Students from D. H. Conley High School and Ladies of Distinction--Students from Rose High School, Bill of Rights/Universal Declaration of Human Rights Reading Day, Fair Housing Seminar and Dr. Martin Luther King, Jr. Holiday. The Greenville Youth Council was established August 11, 2005, and students were appointed to serve on the Council in December. Since its inception, the Youth Council has participated by volunteering to help with City-related events. The Youth Council has partnered with Pitt County Substance Abuse Coalition and Citizens United Against Violence. The Youth Council also attended the National League of Cities Conference in Charlotte in December 2005.

Mr. Howard concluded by stating that the Human Relations Council has a desire to be more involved in all community matters as they relate to human and race relations. In May 2006, the first of two planning sessions were held at the Hilton Inn. After the second part of the planning session (scheduled for September 2006), the Council will recommend to City Council, for approval, the Human Relations Council's Strategic Plan.

### Greenville Housing Authority

Mr. Don Rogers, Executive Director of the Greenville Housing Authority, informed the Council that he would not go over what was in the Annual Report that was recently provided. He reported that HUD has mandated asset management, and the Greenville Housing Authority plans to implement it by 2008. Public housing is moving to more of a private property arena with asset

management. He just received notification of 12 additional vouchers for Wilson Acres. The Authority is fulfilling its mission as far as home ownership goes, having partnered with agencies to help people become first time homeowners. They are looking into developing more affordable housing options. Mr. Rogers thanked the Community Development Department, City Council, Pitt Community College and East Carolina University for help with a recently submitted grant that will allow youth to acquire skills. He looks forward to a continued relationship with these groups and will continue to strive to provide affordable housing to residents. He concluded by stating that the Greenville Housing Authority has High Performance status.

#### CONTRACT WITH GREENVILLE PUBLIC ACCESS TELEVISION CORPORATION FOR THE OPERATION OF THE PUBLIC ACCESS CHANNEL – APPROVED

City Attorney Dave Holec stated that the Greenville Public Access Television Corporation (GPAT) has been operating the public access channel provided to the City pursuant to federal law and the franchise agreement with Cebridge Acquisitions, L.P. In the City's fiscal year 2006-07 budget, \$33,000 has been allocated to provide to GPAT for this purpose. An agreement relating to the services to be provided by GPAT in exchange for this funding and to provide for the payment by the City of the allocated funds is necessary. The agreement is a two-year agreement to coincide with the City's two-year financial plan process, and it can be extended for two additional two year periods. The City is only obligated to provide funds to GPAT in a fiscal year in which funds have been approved in the annual budget of the City for this purpose. The amount is paid in quarterly installments. The services to be provided by GPAT in exchange for the funding are set out in the agreement and include a requirement that programming (including video and billboard/powerpoint but not including screensavers) is to be on the public access channel at all times. The Board of Directors of GPAT approved the agreement at its July 25, 2006 meeting.

Motion was made by Council Member Craft and seconded by Council Member Little to approve the contract with the Greenville Public Access Television Corporation for the operation of the public access channel. Motion carried unanimously. (Contract No. 1066A)

#### REVISED FINANCIAL POLICY GUIDELINES - APPROVED

Ms. Bernita Demery, Director of Financial Services, informed the Council that in 2004, the City Council and Local Government Commission approved a \$20 million bond referendum for future issuance. The City also received a 2004 bond rating upgrade. The plan was to borrow in two phases--\$12.715 million in October 2006 and \$8.055 million in October 2008. The General Obligation Bond sale for 2006 will take place October 24, 2006. The first phase included \$640,000 for street improvements, \$3,775,000 for the West Greenville revitalization, \$3 million for Center City revitalization, and \$5.1 million for storm water drainage.

Ms. Demery continued by stating that the items needed for the bond sale include financial policy updates and meetings with the rating agencies and Local Government Commission. The target debt ratios will be calculated every two years, at a minimum. The direct net debt as a percentage of total assessed value should not exceed 2.5 percent. The ratio of net debt to total expenditures

will remain between 10 and 12 percent, with aggregate direct debt 10-year principal payout ratio target of 60 percent or better. The reserve policy includes a loss reserve of \$2.0 million and an available fund balance greater than 14 percent. If it falls below 14 percent, the City Council will adopt a plan to replenish within 36 months. The stabilization reserves should exceed five percent. Budgeted contributions for non-profit agencies are limited to 15 percent of Community Development Block Grant entitlement funds.

Ms. Demery stated that in preparation for the 2006 bond issuance, the Moody's investors will make a visit to Greenville in September. A call will be made to the Local Government Commission and Standard and Poors will conduct a rating review. The sale date for the \$12.715 million bonds is October 24, 2006. She requested that the Council adopt the revised financial policy guidelines (Document No. 06-8).

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to adopt the revised financial policy guidelines. Motion carried unanimously. (Document No. 06-08)

#### REVISED INVESTMENT POLICY AND RESOLUTION ESTABLISHING AN INVESTMENT ADVISORY COMMITTEE – APPROVED AND ADOPTED

Ms. Demery informed the Council that the investment policy changes include adding an Investment Advisory Committee and changing the meetings from monthly to bi-monthly. The three-member advisory committee consisting of Greenville residents will be appointed by the City Council. The individuals will have qualifications related to investing. The Committee will meet in December, April and August.

City Manager Bowers stated that there was concern among staff that there should not be any conflicts of interest. The terms will be three years, with the initial appointments being one, two and three years in order to stagger the terms.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to adopt the revised investment policy and resolution establishing an Investment Advisory Committee. Motion carried unanimously. (Document No. 06-09; Resolution No. 06-37)

#### REVIEW OF AUGUST 10, 2006 CITY COUNCIL AGENDA

Motion was made by Council Member Little and seconded by Council Member Spell to add "presentation of the check for the Drew Steele/Skip Holtz Golf Tournament" to the August 10, 2006 agenda under Special Recognitions. Motion carried unanimously.

City Attorney Holec explained that a protest petition had been received for the T. H. Worthington rezoning request (Tulls Cove); however, it will not be valid because this is the initial zoning of the property by the City. The property is currently under County zoning, and statutorily, there are no provisions for a protest petition for the initial zoning by the City. There is also a request for annexation. The actions being requested of Council will be annexation and the City's establishment of its own zoning classification to the property. At the request of the

Council, City Manager Bowers stated that the annexation request would be moved to be considered before the rezoning request.

City Manager Bowers provided updated information on agenda items for the August 10, 2006 agenda. Appointments to boards and commissions were reviewed.

#### COMMENTS FROM MAYOR AND CITY COUNCIL

Mayor Parrott introduced Wyatt Willow, a young man who came to the meeting to learn more about local government. He encouraged Council Members to invite young people to attend Council meetings to learn more about City government.

Council Member Spell stated that he received a call from a citizen who received a parking ticket for parking on the grass. This person was concerned about having to pay \$500 for an appeal to the Board of Adjustment, and the parking ticket was only for \$25. He asked that staff look at having a new appellate process with a separate fee of \$25. He asked that this be addressed in September.

City Manager Bowers stated that he would have staff draft an ordinance regarding the appellate process for violations for parking in the yard.

Mayor Parrott asked that the staff look at it and bring it back at another meeting.

Council Member Spell stated that it is crucial to have the three governing bodies working together as a joint board through this proposed committee. He wants them to look at how the governing agencies can look at solutions together.

Council Member Spell requested that a joint task force of nine people, three being appointed by the County Commissioners, three by the City Council and three by the School Board, be appointed to meet for a certain amount of time to develop policies that can help prevent youth violence. This task force would meet, create information and recommend policy changes to each governing body. He asked that the City look at doing that in the coming months.

City Manager Bowers stated that he will add this to the agenda for the joint City Council/County Commission meeting.

Council Member Glover stated that she felt the Police Community Relations Committee should go to a different level to make recommendations to the City Council, which was the original goal of the committee. The Committee waited for the new Police Chief to come on board prior to setting goals and objectives. The Council needs to use a committee it already has. The Chief is forming a citizen committee or people wanting to be involved. Another Council-appointed committee may overshadow the goals of the Police Community Relations Committee. Part of it is working with the safe neighborhood initiative. Chief Anderson has brought some very good and new ideas, and he can use the Police Community Relations Committee in that role. The Police Community Relations Committee may be able to address the issue of youth violence instead of creating a new task force.

Mayor Pro-Tem Council stated that she has been working with the youth a great deal recently, and there are a lot of youth that are doing good things in the community.

Council Member Little thanked the City of Greenville for the blood drive that is being held Wednesday in honor of his 11-year old nephew with leukemia and for Fire/Rescue Battalion Chief Tony Smart. He encouraged people to give blood during this blood drive.

Council Members Dunn and Glover thanked the Police Department for having National Night Out. It was well attended.

Council Member Glover thanked the Human Relations Council for talking about racial issues and diversity in the community. She asked the Council to consider adopting a resolution saying it is working toward being an all-inclusive city and to erect a sign somewhere within the city of Greenville saying it is promoting it.

Council Member Glover stated that the Police Community Relations Committee will meet on Wednesday, August 9, at the Willis Building.

#### CITY MANAGER'S REPORT

##### Request by Fifth Street/MLK Completion Committee to be Placed on August 10, 2006 City Council Agenda

City Manager Bowers stated that he had received a request from Keith Cooper, which was forwarded to City Council, requesting to be placed on the August 10, 2006 City Council agenda. A response from the City Manager dated July 11 gave him the option of coming on August 10 to appear under public comment period or have the Council place it as an agenda item.

Upon being asked the status of the report from the Chancellor's Committee, Council Member Glover stated that the Chancellor's Committee, which she co-chaired, had hoped to have the report to the City Council by this meeting. The report will go to Austin Bunch and John Durham at the University, and then it will come to Council. It appears that it will be September before being submitted to City Council. She has had conversations with Mr. Cooper and talked about the fact that the Council will not have had time to look at the report by August 10.

After discussion about Council Member Glover and/or Mayor Pro-Tem Council discussing the status with Mr. Cooper and whether the Council had to make the decision to add this to the agenda tonight, motion was made by Council Member Glover and seconded by Council Member Dunn to allow Mr. Cooper to speak on Thursday, August 10, 2006 as an agenda item.

Discussion occurred about whether Mr. Cooper should speak under public comment or as a separate agenda item. Discussion also occurred about the difference in the committee appointed by the Chancellor's Committee to look at the renaming of East Fifth Street to Martin Luther King, Jr. Drive and the Fifth Street MLK Completion Committee that is co-chaired by Keith Cooper. An ad hoc committee, which Council Member Glover co-chaired, was another group to study this issue that was formed by the Chancellor's Community Advisory Committee.

The original motion made by Council Member Glover and seconded by Council Member Dunn was then voted on and carried with a vote of 5:1. Mayor Pro-Tem Council and Council Members Glover, Dunn, Little and Spell voted in favor of the motion. Council Member Craft voted in opposition to the motion.

#### Establish Date for Joint Meeting with Pitt County Commissioners

City Manager Bowers suggested October 30, 2006 at 6:00 p.m. at City Hall as the time, date and place for a joint meeting with the County Commissioners.

Motion was made by Council Member Dunn and seconded by Council Member Glover to have a joint meeting with the County Commissioners on October 30, 2006 at 6:00 p.m. at City Hall. Motion carried unanimously.

#### CLOSED SESSION

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Craft to go into closed session, which will be conducted in Room 337 of City Hall. If no action is to be taken, Council will return to open session in Room 337 and adjourn the meeting. If action is to be taken in open session, Council will return to the Council Chambers, return to open session and take action prior to adjourning. The purposes of the closed session are: (1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law (2) to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. (3) to discuss matters relating to location or expansion of industries or other businesses in the area served by the public body. Motion carried unanimously.

#### RETURN TO OPEN SESSION

Motion was made by Council Member Craft and seconded by Council Member Council to return to open session. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Glover to adjourn the meeting at 8:00 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC  
City Clerk